



C.R.P.No.2690 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2024

CORAM:

THE HON'BLE MR.JUSTICE P.DHANABAL

C.R.P.No.2690 of 2022

P.Loganathan

...Petitioner

vs.

S.Kalpana Sebakumari @ Shobakumari

... Respondent

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India against the fair order dated 09.03.2022 made in I.A.No.1 of 2020 on the file of the Additional District Court (FTC), Vellore.

For Petitioner : Mr.V.Kumaravelan

For Respondent : Mr.R.Thangavel

ORDER

When the matter was taken up for hearing, the learned counsel appearing for the petitioner would contend that before the trial Court, the respondent has given an undertaking that not to sale the petition mentioned properties and to that effect also had filed a memo dated 28.10.2020. But, thereafter, he came to know that the some of the properties mentioned in the



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petition were sold by the respondent.

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2. The learned counsel appearing for the respondent would contend that the property mentioned in Pg.No.49 of the typed set of papers ie.,Murukkeri Survey No.29/4A1, 29/4A2 and 29/4B to an extent of 1840 + 1840 + 1727 totally 5407 Sq.ft., the above said property alone have been given as security and the undertaking was given in respect of those properties and thereafter, he sold other items of the properties mentioned in the petition. The above said three properties are the valuable properties and the petitioner has mentioned the lesser value of the properties. Therefore, he undertaking that he will not alienate the above said properties during the pendency of the suit.

3. In view of the undertaking given by the respondent before the trial Court and in view of the said submission made by the learned counsel for the respondent, this Court without going into the merits of the petition, by recording the submission of the learned counsel for the respondent, this Civil Revision Petition is disposed of.



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4. Considering the pendency of the suit, this Court is inclined to direct the trial Court to expedite the trial and complete the same as early as possible preferably within a period of four (4) months from the date of receipt of a copy of this order without giving any long adjournments. If there is any violation of the undertaking given by the respondent, it is for the petitioner to take appropriate steps in the manner known to law. No costs.

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gba

Index : Yes/No

Speaking order : Yes/No

To

Additional District Court (FTC),

Vellore.



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P.DHANABAL, J.

GBA

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